

To: Logan, Paul[Logan.Paul@epa.gov]
From: Chin, Lucita
Sent: Wed 3/19/2014 7:35:57 PM
Subject: FW: Class VI Primacy for North Dakota - Direct Final Rule with Companion Proposed Rule
ND Class VI Primacy Draft Direct Final FRN_020714 + AAP.docx

FYI - it looks like we'll be moving forward with the Class VI primacy to ND. This is for geologic sequestration. This is the first in the Nation, and I expect we will be getting comments, so I think the direct final will not be relevant. Even though the Administrator has to approve it, the Region will be expected to do the bulk of the work. I also think a legal challenge is not out of the question. I understand that Earthjustice has recently contacted the UIC program to ask about the status of this primacy application.

In other news, Wyoming has been in the process of revising its regulations to take on the Class VI program, so we will have another primacy application soon.

Lucita Chin
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From: Boomgaard, Craig
Sent: Wednesday, March 19, 2014 12:32 PM
To: Minter, Douglas; Chin, Lucita
Subject: FW: Class VI Primacy for North Dakota - Direct Final Rule with Companion Proposed Rule

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From: McWhirter, Lisa
Sent: Wednesday, March 19, 2014 12:17 PM
To: Green, Holly
Cc: Kobelski, Bruce; Bayer, MaryRose; Boomgaard, Craig
Subject: FW: Class VI Primacy for North Dakota - Direct Final Rule with Companion Proposed Rule

Hi Holly,

I just received concurrence from OGC on North Dakota's Class VI primacy Direct Final Rule with Parallel Proposed Rule!

Lisa

From: Prabhu, Aditi
Sent: Wednesday, March 19, 2014 2:14 PM
To: McWhirter, Lisa
Cc: Wehling, Carrie; Flaharty, Stephanie
Subject: RE: Class VI Primacy for North Dakota - Direct Final Rule with Companion Proposed Rule

Lisa,

OGC concurs with this direct-final rule package. I have a few minor comments/edits in the attached document along with one suggestion on pg. 18. Let me know if you have any questions and thanks for all your hard work on this primacy package and revising the approach to Part 147.

Aditi Prabhu
Office of General Counsel

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From: McWhirter, Lisa
Sent: Tuesday, February 18, 2014 9:45 AM
To: Wehling, Carrie; Prabhu, Aditi
Subject: Class VI Primacy for North Dakota - Direct Final Rule with Companion Proposed Rule

Hi Carrie and Aditi,

Attached please find the Direct Final Rule and Companion Proposed Rule for your review and concurrence. Please let me know if you need anything else.

Thanks

Lisa

Lisa M. McWhirter, M.S., J.D.

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